

BOARD OF SELECTMEN
Monday, March 14, 2005
Town Hall – Meeting Hall

SELECTMEN PRESENT: Peter Charter, Dennis Frawley, Mark Leighton, Dennis Milanovich, A. Leo Miller, Michael Stupinski and Nancy Way

OTHERS PRESENT: Finance Officer: N. DiCorleto; DPW Director: P. Michaud; Emergency Management Director: D. Davis; Conservation Commission: S. Costello; EVFD: V. Gambacorta, J. Turner; Fire Marshal: A. Lawrence; Town Planner: M. Davis; Reminder Press Reporter; North Central News Reporter

I. CALL TO ORDER:

First Selectman Milanovich called the meeting of the Board of Selectmen (BOS) to order at 8:30 p.m.

II. CITIZENS' FORUM: No one came forward.

III. APPROVAL OF MINUTES:

A. February 7, 2005 Board of Selectmen Meeting:

MOVED (WAY) SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 7, 2005 BOARD OF SELECTMEN REGULAR MEETING MINUTES.

B. February 15, 2005 Special Town Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 15, 2005 SPECIAL TOWN MEETING MINUTES.

C. March 2, 2005 Board of Selectmen Special Meeting

MOVED (WAY), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 2, 2005 BOARD OF SELECTMEN SPECIAL MEETING MINUTES.

IV. UNFINISHED BUSINESS:

- A. Update on Status of Plan of Conservation and Development
- B. Update on Status of Planning & Zoning Regulations Revisions

Items A. and B. were discussed together.

Matt Davis reported that a budget request has been submitted to update the Plan of Conservation and Development and the Planning & Zoning Regulations.

- C. Personnel Rules and Regulations Revision

Matt Davis submitted a memo at the beginning of the meeting dated March 14, 2005 outlining his concerns with the Final Draft. Several BOS members expressed new concerns regarding the Personnel Rules and Regulations. Mr. Milanovich asked the BOS members to submit their comments/concerns in writing to his office within two weeks. Once all comments are received he will schedule a special meeting.

- D. Fire Hydrants

Mr. Charter asked if the Fire Department met with the water company regarding the fire hydrants. Mr. Gambacorta stated that Chief Varney has scheduled a meeting with the CT Water Company to discuss the maintenance program for fire hydrants. Mr. Charter asked that this item be placed on the April 11 agenda as he waiting for information regarding the fees.

- E. Acceptance of Land to be Added to Newell Hill Road

Matt Davis and Peter Michaud reviewed the subdivision map, pointing out the land to be added to Newell Hill Road.

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY TO ACCEPT CONVEYANCE OF PORTION OF LAND, FROM CLARENCE HOLMES, ESTHER J. KAISER AND WILLIAM F. KAISER, SIROIS SUBDIVISION, AS APPROVED BY PLANNING AND ZONING COMMISSION, TO BE ADDED TO NEWELL HILL ROAD, AS DEFINED ON THE DEED **ATTACHED** TO THESE MINUTES AND AUTHORIZE THE TOWN PLANNER TO RECORD THE TENDERED DEED PURSUANT TO THIS AUTHORIZATION AND THE SUBDIVISION REGULATIONS.

- F. Land Use Fees

Mr. Milanovich stated that he spoke to the Planning & Zoning Commission (PZC) Chair and he preferred that the PZC adjust the land use fees through their regulations rather than by creating a new ordinance.

V. NEW BUSINESS:

MOVED (FRAWLEY), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO ADD TO NEW BUSINESS: ITEM E., *TOWN CLERK REQUEST TO APPLY FOR HISTORIC DOCUMENT PRESERVATION GRANT*; ITEM F., *AWARD CONTRACT FOR FY 2004-05 SMALL CITIES PROGRAM APPLICATION*; ITEM G., *COMMITTEE TO PRESERVE PINNEY HOUSE REQUEST TO CONTACT PROPRIETOR OF PINNEY HOUSE* AND ITEM H., *AUTHORIZE FIRST SELECTMAN TO HIRE ZONING ENFORCEMENT OFFICER*.

A. Tax Refunds/Abatements:

MOVED (FRAWLEY), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO APPROVE THE TAX REFUNDS IN THE AMOUNT OF \$2,095.39 AND TAX ABATEMENTS IN THE AMOUNT OF \$129.87, AS RECOMMENDED BY THE TAX COLLECTOR IN THE REFUNDS/ABATEMENTS STATEMENT. **(ATTACHED)**

B. Set Public Hearing for Crystal Lake Regatta:

MOVED (FRAWLEY), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO HOLD A PUBLIC HEARING ON MONDAY, APRIL 11, 2005 AT 7:30 P.M. AT THE CRYSTAL LAKE SCHOOL GYMNASIUM FOR THE PURPOSE OF ALLOWING CITIZENS TO COMMENT UPON THE APPLICATION OF THE CRYSTAL LAKE SAILING CLUB FOR A REGATTA PERMIT.

C. FY 2004-05 Small Cities Grant Application:

MOVE MOVED (FRAWLEY), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO PASS THE FOLLOWING RESOLUTION:

WHEREAS , Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Economic and Community Development pursuant to Public law 93-3 83, as amended; and

WHEREAS, pursuant to Chapter 127C, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Economic and Community Development is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Ellington make an application to the State in an amount not to exceed \$500,000 in order to undertake Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF ELLINGTON BOARD OF SELECTMEN:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and,

2. The filing of an application by the Town of Ellington in a total amount not to exceed \$500,000 is hereby approved, and that the First Selectman is hereby authorized and directed to file such application with the Commissioner of the Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such Agreement is offered, to execute any amendments, rescissions and revisions thereto, and to act as the authorized representative of the Town of Ellington

D. North-end Fire Station Site

Mr. Charter referenced the Emergency Services Evaluation which identifies a need for a fire station in the North-end of Town. Mr. Charter suggested the Town consider the brush dump area on Hoffman Road as the North-end site and requested core samples be taken and an engineering report issued to determine if the site is satisfactory to build a fire house. He estimates the cost of the samples and the report to be approximately \$2,800. Mr. Leighton questioned if the proposal is in lieu of or in addition to the proposed south-end fire house. Mr. Charter responded that it would be in addition to the south-end station. Mr. Milanovich stated that this proposal deflects the initiative of the south-end fire house and a new proposal may divide the Town and neither proposal will come to fruition. He recommended that the BOS request that the Board of Finance start the bonding process for the south-end fire station regardless if State assistance is received.

Mr. Stupinski suggested that the core samples be taken now so the Town knows if the land is viable for any use. Mr. Leighton stated that if there is not a specific plan for the land that the Town is spending money prematurely.

MOVED (CHARTER), SECONDED (STUPINSKI) AND PASSED [CHARTER/STUPINSKI/WAY/ FRAWLEY IN FAVOR; LEIGHTON/MILLER/MILANOVICH OPPOSED] TO PERFORM SOIL CORE SAMPLES AND ISSUE AN ENGINEERING REPORT AT THE HOFFMAN ROAD BRUSH DUMP SITE AT A COST NOT TO EXCEED \$2,800, TO BE CHARGED TO THE OUTSIDE CONTRACTED SERVICES ACCOUNT.

E. Town Clerk Request to Apply For Historic Document Preservation Grant:

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY TO ADOPT THE FOLLOWING RESOLUTION:

RESOLVED: THAT DENNIS C. MILANOVICH, FIRST SELECTMAN, OR THE TOWN CLERK AS HIS DESIGNEE, IS EMPOWERED TO EXECUTE AND DELIVER IN THE NAME OF AND ON BEHALF OF THE TOWN OF ELLINGTON, AN APPLICATION AND CONTRACT WITH THE STATE LIBRARY FOR AN HISTORIC DOCUMENT PRESERVATION GRANT.

F. Award Contract For FY 2004-05 Small Cities Program Application:

MOVED (FRAWLEY), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO: 1) AWARD THE CONTRACT FOR THE FY 2004-05 SMALL CITIES APPLICATION PREPARATION AND PROGRAM ADMINISTRATION TO COMMUNITY OPPORTUNITIES GROUP, INC., BOSTON, MASSACHUSETTS, IN AN AMOUNT NOT TO EXCEED \$5,000 PER APPLICATION PLUS REIMBURSABLE EXPENSES NOT TO EXCEED \$600.

G. Committee to Preserve Pinney House Request to Contact Owner of Pinney House:

Mr. Milanovich referenced a report issued by the Committee to Preserve the Pinney House and their request to have him contact the owner of the Pinney House to ask that he donate the land to the Town. Mr. Milanovich cautioned the BOS that if the owner of the Pinney House grants the requests to donate the house and property to the Town, that the Town will be financially liable for the repair and maintenance without a specific use for the house. Mr. Stupinski stated that the best place for the Pinney House is where it is. He noted that if the owner donates the house that it can still be moved at a later date. Mr. Charter questioned if the Town can use Small Cities money to repair and maintain the Pinney House.

MOVED (FRAWLEY), SECONDED (STUPINSKI) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO SEND A LETTER TO THE OWNER OF THE PINNEY HOUSE REQUESTING THAT HE DONATE THE PINNEY HOUSE AND PROPERTY TO THE TOWN OF ELLINGTON.

H. Authorize First Selectman To Hire Zoning Enforcement Officer:

Mr. Milanovich stated that he received 11 or 12 applications for the Zoning Enforcement Officer position; four candidates were interviewed. The Town Planner has not submitted his recommendation to date.

MOVED (FRAWLEY), SECONDED (MILLER) AND PASSED UNANIMOUSLY TO AUTHORIZE THE FIRST SELECTMAN TO HIRE A ZONING ENFORCEMENT OFFICER.

VI. ADMINISTRATIVE REPORTS: (so noted.)

VII. SELECTMEN COMMITTEE REPORTS:

A. Personnel Committee:

1. Resignations: None.

2. Appointments:

MOVED (STUPINSKI), SECONDED (FRAWLEY) AND PASSED UNANIMOUSLY TO REAPPOINT WALTER MOODY TO THE CONSERVATION COMMISSION FOR A FOUR-YEAR TERM TO MARCH 31, 2009.

MOVED (STUPINSKI), SECONDED (CHARTER) AND PASSED UNANIMOUSLY TO REAPPOINT PAUL RECKER TO THE CULTURAL ARTS COMMISSION TO FEBRUARY 28, 2009.

VIII. SELECTMEN LIAISON REPORTS: None.

IX. FIRST SELECTMAN'S REPORT:

Mr. Stupinski asked for an update regarding the acquisition of the property on South Road for the expansion of the Crystal Lake School. Mr. Milanovich stated that there are a number of soil and wetland issues with this property. The Board of Education and Permanent Building Committee have determined that the site is not useful and decided not to pursue the environmental study.

Mr. Charter asked if final figures for the High School have been released. Mr. Milanovich stated that he presented an analysis to the Permanent Building Committee last week. A meeting needs to be scheduled with Haynes to discuss the back charges.

X. CORRESPONDENCE: So noted.

XI. ADJOURNMENT:

MOVED (FRAWLEY), SECONDED (LEIGHTON) AND PASSED UNANIMOUSLY TO
ADJOURN THE MEETING OF THE BOARD OF SELECTMEN AT 9:47 P.M.

Submitted by _____ Approved by _____
Marie Sauve Dennis C. Milanovich